

REMARKS

Claims 1-10 are pending in the application. Applicants amend claims 1 and 7 for further clarification. No new matter has been added.

Claims 1-2 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,457,879 to Thurlow et al. in view of U.S. Patent Application No. 2002/0046268 to Leong et al.; claims 3-8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Thurlow et al. in view of Leong et al., and further in view of U.S. Patent No. 6,513,060 to Nixon et al.; and claims 9-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Thurlow et al., Leong et al., Nixon et al., and further in view of U.S. Patent No. 6,389,455 to Fuisz. Applicants amend claims 1 and 7 in a good faith effort to further clarify the invention as distinguished from the cited references, and respectfully traverse the rejections.

The Examiner cited Leong et al. as a new combining reference that allegedly suggests the claimed router device incorporating monitoring features, which the Examiner acknowledged was absent from the disclosure of Thurlow et al.

Thurlow et al. describe an email application program running on a portable computer for a client and the application program connecting to a mail server via a LAN connection. The computer's transition between online and offline state is distinguished for processing email messages. Thus, as acknowledged by the Examiner, Thurlow et al. fail disclose the claimed router device monitoring features.

Leong et al. describe a network management agent 30 residing on a network device 32, to which a number of end devices 34 are coupled. Leong et al. describe that the network device 32 may be a router. Leong et al. only describe, however,

“The network device 32 is shown to be coupled to an intranet 36 and an internet 38. Also coupled to the internet 36 is a remote device 38, such as a computer, on which resides a

client 40, in the form of a web browser. Similarly, remote devices 42 and 44 each have a client 40 installed thereon and are coupled to the internet 38. The clients 40 propagate request messages to the network management agent 30 which, in response to the request messages, propagates response messages to the clients 40. In one embodiment, these response messages incorporate HTML documents, and accordingly the network device 32 may be viewed by the clients 40 as an HTML server. The network management agent 30 supports a set of managed objects, which in one embodiment are Management Information Base (MIB) objects. The set of MIB objects supported by the agent 30 are specific to the network device 32, and are termed the MIB view of the agent 30. The managed objects (or variables) provide information regarding the network device, such as, for example, the number of good or bad data frames received at and transmitted from the network device 32.” Paragraph [0050] of Leong et al. (Emphasis added)

And Leong et al. only describe,

“The end devices 34 may be computers, servers, or peripheral devices. It will be appreciated that the network device 32 may furthermore be coupled to any number of further network devices.” Paragraph [0049] of Leong et al.

Thus, Leong et al., as cited and relied upon by the Examiner, only include description of a network device being coupled to a number of end devices 34 and being viewed as an HTML server by clients 40. And Thurlow et al., as cited and relied upon by the Examiner, only include description of an email application program determining an online and offline state of its computer for connecting to a mail server and processing messages.

In other words, even assuming, arguendo, that it would have been obvious to one skilled in the art at the time the claimed invention was made to combine Thurlow et al. and Leong et al., such a combination would still have failed to disclose or suggest,

“[a] packet communication system communicable to one or more terminals, said packet communication system comprising:

an editing communication unit, which when there is a change in a communicability state of said terminals, edits and transmits information on the communicability state of said terminals,

wherein the packet communication system is accommodated in a router device and the router device monitors a communicability state of said one or more terminals by polling said terminals from the packet communication system,” as recited in claim 1. (Emphasis added)

Accordingly, Applicants respectfully submit that claim 1, together with claim 2 dependent therefrom, is patentable over Thurlow et al. and Leong et al., separately and in combination, for at least the foregoing reasons. The Examiner cited Nixon et al. as a combining reference to specifically address the additional features recited in claims 3-6, which depend from claim 1, and claim 7, which also incorporates features that correspond to those of claim 1 cited above. As such, a further combination with Nixon et al. would still have failed to cure the above-described deficiencies of Thurlow et al. and Leong et al., even assuming, arguendo, that such a further combination would have been obvious to one skilled in the art at the time the claimed invention was made. Accordingly, Applicants respectfully submit that claims 3-6 dependent from claim 1, claim 7, and claim 8 dependent from claim 7 are patentable over the cited references for at least the foregoing reasons. The Examiner cited Fuisz as a further combining reference to specifically address additional features recited in claims 9-10, which depend from claim 7. As such, a further combination with Fuisz would still have failed to cure the above-described deficiencies of Thurlow et al., Leong et al., and Nixon et al., even assuming, arguendo, that such a further combination would have been obvious to one skilled in the art at the time the claimed invention was made. Accordingly, Applicants respectfully submit that claims 9-10 dependent from claim 7 are patentable over the cited references for at least the foregoing reasons.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully

requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

/Dexter Chang/

Dexter T. Chang

Reg. No. 44,071

CUSTOMER NUMBER 026304

Telephone: (212) 940-6384

Fax: (212) 940-8986 or 8987

Docket No.: FUJ 17.715 (100794-11514)

DTC:tb